



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# State Water Resources Control Board



**Gray Davis**  
Governor

**Division of Water Rights**  
1001 I Street, 14<sup>th</sup> Floor • Sacramento, California 95814 • (916) 341-5300  
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000  
FAX (916) 341-5400 • Web Site Address: <http://www.swrcb.ca.gov>  
Division of Water Rights: <http://www.waterrights.ca.gov>

## **NOTICE OF PETITIONS REQUESTING CHANGES, CORRECTIONS OR EXTENSIONS OF TIME IN WATER RIGHT PERMITS AND LICENSES**

**Dated: July 22, 2002**

**NOTICE:** The purpose of this notice is to advise interested persons of petitions requesting changes to water right permits and licenses. This notice provides a summary of all petitions that have been reviewed and prepared for noticing during the month by the State Water Resources Control Board (SWRCB), Division of Water Rights (Division).

This notice provides a short summary of each petition and also provides instructions for filing a protest against the requested changes. If you would like additional information relating to a petition, or information relating to the procedure for filing a protest, please call the contact person listed for the specific petition. Public notices of the State Water Resources Control Board's Division of Water Rights may be viewed and printed at the Division's web site [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

**GENERAL INFORMATION:** Persons diverting water from a stream must, in most cases, obtain a water right permit issued by the SWRCB, in accordance with provisions of the California Water Code. (People can also divert water from a stream under riparian rights or rights initiated prior to 1914.) A water right permit issued by the SWRCB defines the:

- Stream or river from which water is diverted;
- Amount of water that can be diverted;
- Season of the year during which the water can be diverted;
- Point of diversion from the stream;
- Place of use of the diverted water; and
- Purpose of use.

In addition, the water right permit includes a date for applying water to beneficial use. Any party having a water right permit must submit a petition and receive approval from the SWRCB to change the place of use, the purpose of use, point of diversion, or to request an extension of time to make full beneficial use of water. The SWRCB must consider the potential impacts to other water users that could be affected by the proposed change and must also consider the potential environmental impacts that would result from the proposed change. The SWRCB must comply with the requirements of the California Environmental Quality Act prior to the approval of any petition.

**PROCEDURES FOR FILING PROTESTS:** Any person may file a protest against the changes proposed in a petition. However, protests filed in response to this notice **must be postmarked or received** in the office of the Division of Water Rights of the SWRCB at the address listed below by **4:00 p.m.** on the **30<sup>th</sup> day after the date of this notice.**

A protest should be submitted on the standard protest form that is available from the Division, or can be printed from the Division's web site [www.waterrights.ca.gov/forms/](http://www.waterrights.ca.gov/forms/). Due to the constraints of the noticing period, protestants may file protests, etc., by FAX. However, an original copy of all materials must be received, for the SWRCB to consider your protest. The protest should be submitted to:

State Water Resources Control Board  
Division of Water Rights  
c/o Greg Wilson  
P.O. Box 2000  
Sacramento, CA 95812-2000

**Additionally, a copy of the protest must also be sent to the petitioner.** SWRCB will respond to all protests within 90 days from the date of the notice.

A protest may be based on any of the factors listed below:

Injury existing water rights;  
Has an adverse environmental impact;  
Is not in the public interest;  
Is contrary to law; or  
Is not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the petition and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of the existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protests based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest or request that the protestant submit additional information. **The Division will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.**

The SWRCB may grant an extension of time to file a protest, for good cause. A request for an extension of time must be submitted in a timely manner, must specify the additional time required, and must state why additional time is needed to file the protest. A pamphlet is available that provides additional information relating to water rights and the procedure for filing protests. Please contact the person listed below if you would like a copy of the pamphlet or protest forms.

**RESOLUTION OF PROTESTS** The petitioner and the protestant are encouraged to meet and discuss methods that could be used to resolve the protest. If the protest can not be resolved, SWRCB staff may conduct a field investigation with all interested parties or may hold a water right hearing.

**CONTACT PERSON:** Please contact the staff person designated under the petition of interest, if you would like additional information regarding the petition, protests, information pamphlets, protest forms, or to request an extension of time in which to file a protest.

**DESCRIPTION OF PETITIONS:** The following provides a summary of all petitions for changes in water rights or extensions of time to put water to use. The petitions are listed alphabetically by County.

<b>COUNTY</b>	<b>OWNER</b>	<b>APPLICATION NO.</b>
<b>MARIN</b>		
<b>MENDOCINO</b>	<b>Alex R. Thomas III and Mary Leitem Thomas</b>	<b>4832 &amp; 12958</b>
<b>MONTEREY</b>	<b>Monterey Peninsula Water Management District</b>	<b>11674B &amp; 27614</b>
<b>NAPA</b>	<b>Usibelli Coal Mine, Inc.</b>	<b>18405</b>
	<b>Usibelli Coal Mine, Inc.</b>	<b>22738</b>
	<b>Usibelli Coal Mine, Inc.</b>	<b>22739</b>
	<b>Alan Hardin Trust</b>	<b>24598</b>
	<b>Usibelli Coal Mine, Inc.</b>	<b>26783</b>
	<b>Robert Lee Hudson and Betty Lou Hudson</b>	<b>27188</b>
	<b>Usibelli Coal Mine, Inc.</b>	<b>29882</b>
<b>SANTA BARBARA</b>	<b>Boys Scouts of America, Los Padres Council</b>	<b>9443</b>
<b>SONOMA</b>	<b>Louis M. Martini, Inc.</b>	<b>29566</b>
<b>TEHEMA</b>	<b>Heinz &amp; Thea Eichenseer</b>	<b>29528</b>
<b>TRINITY &amp; HUMBOLDT</b>	<b>Humboldt Bay Municipal Water District</b>	<b>16454 &amp; 17291</b>

**NOTICES WITHIN THE COUNTY OF MARIN**

<b>APPLICATION 13965B</b>	<b>LICENSE 4324B</b>	<b>ISSUED ON October 10, 2000</b>
Licensee	<b>North Marin Water District 999 Rush Creek Place PO Box 146 Novato, CA 94948</b>	
Source(s)	Lagunitas Creek tributary to Tomales Bay	
Point(s) of Diversion	<p>1) SW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of Projected Section 36 T3N R9W MDB&amp;M California Coordinate System, Zone 3, North 578,000 and East 1,335,400</p> <p>2) SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Projected Section 25 T3N R9W MDB&amp;M California Coordinate System, Zone 3, North 579,400 and East 1,335,400</p> <p>3) SE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Projected Section 25 T3N R9W MDB&amp;M California Coordinate System, Zone 3, North 582,000 and East 1,339,700</p>	
Purpose(s) of Use	Irrigation	
Direct Diversion Rate and Season of Diversion	0.67 cubic feet per second from May 1 to November 1 of the each year	
Place of Use	312 total acres located within Projected Sections 26, 35 and 36, T3N, R9W, MDB&M as shown on map on file with the SWRCB.	
Existing project	Licensee has recently acquired 0.67 cfs from the split of License 4324 originally owned by Waldo Giacomini and now desires to change the place of use, purpose of use to cover the water district's operations.	
Petition for: Change(s)	Permittee petitioned to add Municipal and Industrial uses to the license and to expand the Place of Use to include the cities of Olema, Point Reyes Station, Inverness Park, Point Reyes National Seashore Park and the areas within the Annexation No. 3, all within T2 and 3N, R8 and 9W, MDB&M as shown on map on file with the SWRCB. Water under this license will be used in conjunction with water diverted under Permits 19724 and 19725 (Applications 25062 and 25079) to provide water to the areas defined above.	
Environmental Document	A Notice of Exemption has been prepared by North Marin Water District and filed with the Marin County Clerk on March 21, 2002.	
Related Applications	Permits 19724 and 19725 (Applications 25062 and 25079) authorize the Permittee to directly divert up to 0.699 cfs and 0.961 cfs respectively.	
Contact person	<b>Brian Coats at (916) 341 - 5311</b>	

**NOTICES WITHIN THE COUNTY OF MENDOCINO**

<b>APPLICATION 4832</b>	<b>LICENSE 1598</b>	<b>ISSUED ON October 23, 1935</b>
<b>APPLICATION 12958</b>	<b>LICENSE 4238</b>	<b>ISSUED ON March 21, 1956</b>
Licensee	<b>Alex R. Thomas III and Mary Leittem Thomas c/o John Thomas P.O. Box 748 Ukiah, CA 95482</b>	
Source(s)	Russian River tributary to Pacific Ocean	
Point(s) of Diversion	SW <sup>1</sup> / <sub>4</sub> of SE <sup>1</sup> / <sub>4</sub> of projected Section 16 T15N R12W MDB&M	

Purpose(s) of Use	Irrigation
Direct Diversion Rate and Season of Diversion	License 1598 - 0.2 cubic feet per second from June 1 to August 31 of each year License 4238 - 1.5 cubic feet per second from about May 1 to about September 30 of each year
Place of Use	License 1598 - 25 acres within Lot 86 of Yokayo Rancho, within projected Sections 16 and 17 of T15N, R12W, MDB&M  License 4238 – 75 acres within Lot 23 of Yokayo Rancho and 25 acres within Lot 86 of Yokayo Rancho, all within projected Sections 16 and 17, T15N, R12W, MDB&M
Existing project	Licensee currently irrigates pear orchards using water diverted from the Russian River under Licenses 1598 and 4238.
Petition for: Change(s)	Licensee petitioned to change place of use under Licenses 1598 and 4238. A recent inspection determined licensee’s irrigated place of use includes an additional 42 acres over the combined 100 acres currently licensed. Licensee petitioned to incorporate the additional acreage into the licenses citing that the additional acreage has been used continuously since the 1930s and does not result in diversions in excess of the quantity defined in the existing licenses.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Contact person	<b>Brian Coats at (916) 341-5311</b>

**NOTICES WITHIN THE COUNTY OF MONTEREY**

<b>APPLICATIONS 11674B and 27614</b>	<b>PERMIT 7130B and 20808</b>	<b>PERMIT 7130 issued in 1948; the permit was split and Permit 7130B was assigned to Monterey Peninsula Water Management District on May 2, 1984</b>  <b>PERMIT 20808 issued on October 25, 1995</b>
Permittee	<b>Monterey Peninsula Water Management District (District) Mr. Ernest A. Avila P.O. Box 85 Monterey, CA 93942-0085</b>	
Source(s)	Carmel River and Carmel River Subterranean Stream tributary to Pacific Ocean	
Point(s) of Diversion	34 points of diversion including New Los Padres Dam (point of diversion), San Clemente Dam (point of rediversion) and 32 wells or proposed wells owned by the California-American Water Company (Cal-Am) that are situated in Carmel River subaquifers AQ 1 through AQ 4.	
Purpose(s) of Use	Permit 7130B: domestic, industrial, municipal Permit 20808: municipal, irrigation, fish and wildlife	
Direct Diversion Rate and Season of Diversion	Permit 7130B: No direct diversion allowed Permit 20808: The permit has two conditions relative to direct diversion, one for when the reservoir project is fully operable and another condition when the reservoir project is not fully operable. The reservoir has not been built. Accordingly, the permit authorizes direct diversion of 42 cubic feet per second from November 1 of each year through June 30 of the succeeding year.	
Storage Amount and	Permit 7130B: 15,970 afa by storage from October 1 of each year to	

Season of Diversion	<p>May 31 of the succeeding year.</p> <p>Permit 20808: 24,000 afa by storage from November 1 of each year through June 30 of the succeeding year.</p>
Max Annual Amount	<p>Permit 20808: The total amount to be taken from the source under this permit shall not exceed 29,000 afa per water year of October 1 to September 30.</p> <p>Both permits: The total quantity of water originating in the Carmel River diverted to beneficial use by Cal-Am and the District (including direct diversion and rediversion of previously stored water, but not including diversions to storage) for municipal, domestic, industrial and irrigation purposes of use, including rights established by License 11866, Permit 7130B, Permit 20808, Application 30215 of Cal-Am and any permit or license issued pursuant thereto, pre-1914 appropriative rights and riparian rights shall not exceed (a) 16,000 afa or (b) such lesser amount identified in the Supplemental EIR on the Carmel River Dam as the annual beneficial use requirements associated with the total project yield or the Cal-Am production limit.</p>
Place of Use	<p>110,000 acres within the boundaries of the District as shown on maps on file with the SWRCB.</p>
Existing project	<p>The District proposes to construct and operate the 24,000 af capacity Carmel River Dam Project (aka New Los Padres Reservoir Project) (project). The project consists of an onstream storage reservoir on the Carmel River about 23 river miles (RM) upstream from the Ocean. Water would be released from the reservoir for: (1) rediversion downstream at San Clemente Dam at RM 18.5, (2) recharge of the Carmel Valley aquifer and subsequent rediversion by 34 wells located approximately from RM 3 to 15, and (3) maintenance of instream flow. In addition, water would be directly diverted from the river at 34 points of diversion located approximately from RM 3 to 15.</p> <p>The reservoir project has not been built, and no water has been put to beneficial use under the permits. The District has not yet complied with the requirements for diversion established in <i>Monterey Peninsula Water Management District v. State Water Resources Control Board</i> (Super. Ct. Monterey County (1998) No. M 33519); <i>Monterey Peninsula Water Management District v. State Water Resources Control Board</i> (Super. Ct. Monterey County (1998) No. M 33520); <i>Sierra Club, Inc. v. State Water Resources Control Board</i> (respondent), <i>California-American Water Company and Monterey Peninsula Water Management District</i> (real parties in interest) (Super. Ct. Monterey County (1998) No. 105610 [three cases consolidated in trial court]). The court order states that: Neither the District nor Cal-Am can divert water pursuant to Decision 1632 or Permit 7130B until application is made by either and/or both parties to the SWRCB for consideration and approval of the contemplated diversion in light of project modifications resulting from this stipulation and the Order issued thereto. Upon said application by the District and/or Cal-Am, the SWRCB will conduct</p>

	<p>a public hearing pursuant to California Administrative Code, Title 23, § 648 for the limited purposes of reviewing any changes in the project as the project was permitted under Decision 1632, and Permit 7130B, reviewing the information in the Carmel River Dam Project Supplement EIR, reviewing whether public trust values are adequately protected and determining whether the permits should be modified based on the results of that review.</p> <p>The District does not currently operate any of the Cal-Am facilities listed in the District’s permits. Cal-Am operates its facilities, subject to the conditions established in Order WR 95-10. Pursuant to that order, as amended by Order WR 98-04 and WRO 2002-0-0002, Cal-Am must operate its wells sequentially, beginning with the most downstream wells in order to leave water instream as far downstream as possible. This mode of operation has enhanced fishery resources from the levels identified at the time of adoption of the order. Under Order WR O2002-0002, which is based on a settlement agreement between Cal-Am and the National Marine Fisheries Service (NMFS), Cal-Am has ceased surface diversions at San Clemente Dam during low flow periods. Cal-Am now diverts water needed to serve its upper valley customers by extracting water from AQ3, AQ4 and the Seaside Groundwater Basin, except that Cal-Am may divert up to 0.5 cfs to serve the Carmel Valley Village using the wells in AQ1. Low flow periods are defined as times when stream flow in the Carmel River at the Don Juan Bridge (RM 10.8) gage is less than 20 cfs for five consecutive days.</p> <p>These operating conditions do not apply to any diversions by the District pursuant to Permits 7130B and 20808.</p>
<p>Petition for: Change(s)</p>	<p>The District petitions to change the project from a reservoir storage project with fishery maintenance conditions to a direct diversion project operated as follows: (a) a five cubic foot per second minimum bypass flow below San Clemente Dam, as measured at the Sleepy Hollow Weir, and (b) implement any fisheries measures identified in the Five-Year Mitigation Plan.</p> <p>Permit 7130B authorizes storage at New Los Padres Reservoir, with the water rediverted at San Clemente Dam and Cal-Am’s downstream wells from October 1 of each year to May 31 of the succeeding year. The permit does not authorize direct diversion. The District petitions to modify the permit, to allow direct diversion at San Clemente Dam. Pursuant to Title 23, California Code of Regulations section 700, the District will be required to document that it has an alternate source of water supply for the period (June 1 through September 30) when it is not authorized to divert under Permit 7130B.</p> <p>Permit 20808 authorizes direct diversion from November 1 of each year to June 30 of the following year at Cal-Am’s wells downstream of San Clemente Dam, provided that all bypass flow conditions and the terms of the 1998 Court order are complied with. The District petitions to add direct diversion at San Clemente Dam. Under both</p>

	<p>permits combined, the District seeks to directly divert 7,909 afa at San Clemente Dam and the Carmel Valley wells. The District will be required to document that it has an alternate source of water supply for the period (July 1 through October 31) when it is not authorized to divert under Permit 20808.</p> <p>The permittee requests that the Division of Water Rights (Division) suspend 31 of the 53 existing permit conditions in order to implement the direct diversion project. The list of permit conditions that the permittee seeks to remove from the permit is attached, and includes the following requirements:</p> <ul style="list-style-type: none"> <li>• Maintain specified instream flows for steelhead.</li> <li>• Install and maintain stream gages to measure the required instream flows.</li> <li>• Limit surface diversions from San Clemente Dam to the Cal-Am filter plant. Division staff notes that if this request is approved, the diversion pattern will be different from both the permitted diversion pattern and the diversion pattern identified in the NMFS/Cal-Am agreement for interim operations.</li> <li>• Mitigation measures related to reservoir construction and operation.</li> <li>• Reservoir construction shall be completed by December 31, 2005.</li> <li>• Prior to construction, obtain permits from the Department of Fish and Game, Regional Water Quality Control Board and Dam Safety.</li> <li>• Provide documentation that the District has committed adequate long-term financial resources to fund all mitigation measures identified in the permit.</li> <li>• Mitigate for impacts to cultural resources.</li> </ul> <p>Furthermore, the permittee seeks to modify the permit condition stating that the District shall not divert water unless and until Cal-Am has obtained an alternate supply of water for its illegal diversions.</p>
Environmental Document	An environmental document has not yet been prepared for the action described in this notice. The district is the lead agency pursuant to the California Environmental Quality Act (CEQA), and is responsible for preparation of a CEQA document.
Related Applications	The District has no other water rights.
Contact person	<b>Katherine Mrowka at (916) 341 - 5363</b>

**NOTICES WITHIN THE COUNTY OF NAPA**

<b>APPLICATION 18405</b>	<b>LICENSE 12363</b>	<b>LICENSE ISSUED ON December 13, 1988</b>
Licensee	<b>Usibelli Coal Mine, Inc.</b> <b>C/o James C. Hanson</b> <b>Hanson Engineering</b> <b>444 N. Third Street, Suite 400</b> <b>Sacramento, CA 95814-0228</b>	

Source	Maxwell Creek tributary to Pope Creek thence Lake Berryessa
Points of Diversion to Offstream Storage	(1) NE ¼ of NW ¼ of projected Section 35, T9N, R5W, MDB&M (4) NE ¼ of SE ¼ of projected Section 26, T9N, R5W, MDB&M
Point of Rediversion and Storage	(2) Usibelli Dam No. 2 – SE ¼ of NW ¼ of projected Section 26, T9N, R5W, MDB&M
Purposes of Use	Irrigation, Frost Protection, Fire Protection, Recreational, and Stockwatering
Storage Amount and Season of Diversion	210 acre-feet (af) from November 1 of each year to March 1 of the succeeding year.
Max Diversion Rate to Offstream Storage	3.5 cubic feet per second (cfs) from point of diversion (1) or 1.34 cfs from point of diversion (4)
Max Annual Amount	The maximum withdrawal in any one year under this license and licenses issued pursuant to Applications 22739 and 26783 shall not exceed 555 af.
Place of Use	Recreation, stockwatering and fire protection uses at Usibelli Reservoir No. 2 within SW ¼ and S ½ of NW ¼ of projected Section 26, T9N, R5W, MDB&M and irrigation and frost protection of 357.7 acres within projected Sections 23, 25 and 26, T9N, R5W, MDB&M, as shown on map filed with the SWRCB.
Existing project	Water is stored in the 900 af Usibelli No. 2 Reservoir under the permits or licenses for Applications 18405 (storage of 210 af), 22739 (storage of 515 af), 26783 (storage of 175 af) and 29882 (storage of 345 af). Water is used for stockwatering, irrigation of pasture, alfalfa and vineyards, heat control, frost protection and recreation.
Petition for: Change(s)	On November 26, 1991, the licensee petitioned to increase the place of use from 357.7 acres to 450.0 acres. The additional place of use would be served from Usibelli Reservoir No. 2 pursuant to licensed and permitted Applications 18405, 22739, 26783 and 29882, and the Upper Reservoir pursuant to licensed Application 22738. The increased place of use will be developed in vineyard.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Related Applications	License 12363, 12364, 12329 and Permit 20774 (Applications 18405, 22739, 26783 and 29882) for Usibelli Reservoir No. 2 and License 10500 (Application 22738) for Upper Reservoir.
Contact person	<b>Katherine Mrowka at (916) 341 - 5363</b>

<b>APPLICATION 22738</b>	<b>LICENSE 10500</b>	<b>LICENSE ISSUED ON August 1, 1975</b>
Licensee	<b>Usibelli Coal Mine, Inc. c/o James C. Hanson Hanson Engineering 444 N. Third Street, Suite 400 Sacramento, CA 95814-0228</b>	
Source	Unnamed Stream tributary to Burton Creek thence Maxwell Creek thence Pope Creek	
Point of Diversion	At Upper Reservoir within SW ¼ of SE ¼ of projected Section 23, T9N, R5W, MDB&M	
Purposes of Use	Irrigation, Frost Protection, Fire Protection, Recreational, and Stockwatering	
Storage Amount and	49 acre-feet (af) from October 1 of each year to May 1 of the	

Season of Diversion	succeeding year.
Max Annual Amount	The maximum withdrawal in any one year shall not exceed 49 af.
Place of Use	Recreation and fire protection uses at Upper Reservoir within SW ¼ of SE ¼ and NW ¼ of SE ¼ of projected Section 23, T9N, R5W, MDB&M; stockwatering within SE ¼ of SW ¼ and at Upper Reservoir within SW ¼ of SE ¼ and NW ¼ of SE ¼ of projected Section 23, T9N, R5W, MDB&M and irrigation and frost protection of 357.7 acres within projected Sections 23, 25 and 26, T9N, R5W, MDB&M, as shown on map filed with the SWRCB.
Existing project	Water is stored in the 49 af Upper Reservoir under the license for Application 22738. Water from Upper Reservoir and from the 900 af capacity Usibelli No. 2 Reservoir under the permits or licenses for Applications 18405, 22739, 26783 and 29882 is used for irrigation and frost protection of 357.7 acres of pasture, alfalfa and vineyards. Water is also used for stockwatering, recreation and fire protection.
Petition for: Change(s)	On November 26, 1991, the licensee petitioned to increase the place of use from 357.7 acres to 450.0 acres. The additional place of use would be served from the Upper Reservoir pursuant to licensed Application 22738 and from Usibelli Reservoir No. 2 pursuant to licensed and permitted Applications 18405, 22739, 26783 and 29882. The increased place of use will be developed in vineyard.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Related Applications	License 12363, 12364, 12329 and Permit 20774 (Applications 18405, 22739, 26783 and 29882) for Usibelli Reservoir No. 2 and License 10500 (Application 22738) for Upper Reservoir.
Contact person	<b>Katherine Mrowka at (916) 341 - 5363</b>

<b>APPLICATION 22739</b>	<b>LICENSE 12364</b>	<b>LICENSE ISSUED ON December 13, 1988</b>
Licensee	<b>Usibelli Coal Mine, Inc. c/o James C. Hanson Hanson Engineering 444 N. Third Street, Suite 400 Sacramento, CA 95814-0228</b>	
Source	(2) Unnamed stream tributary to Burton Creek thence Maxwell Creek (4) Maxwell Creek tributary to Pope Creek thence Lake Berryessa	
Points of Diversion to Offstream Storage	(1) NE ¼ of NW ¼ of projected Section 35, T9N, R5W, MDB&M (4) NE ¼ of SE ¼ of projected Section 26, T9N, R5W, MDB&M	
Point of Diversion, Rediversion and Storage	(2) Usibelli Dam No. 2 – SE ¼ of NW ¼ of projected Section 26, T9N, R5W, MDB&M	
Purposes of Use	Irrigation, Frost Protection, Fire Protection, Recreational, and Stockwatering	
Storage Amount and Season of Diversion	515 acre-feet (af) from November 1 of each year to May 1 of the succeeding year.	
Max Diversion Rate to Offstream Storage	3.5 cubic feet per second (cfs) from point of diversion (1) or 1.34 cfs from point of diversion (4)	
Max Annual Amount	The maximum withdrawal in any one year under this license and licenses issued pursuant to Applications 18405 and 26783 shall not exceed 555 af.	

Place of Use	Recreation, stockwatering and fire protection uses at Usibelli Reservoir No. 2 within SW ¼ and S ½ of NW ¼ of projected Section 26, T9N, R5W, MDB&M and irrigation and frost protection of 357.7 acres within projected Sections 23, 25 and 26, T9N, R5W, MDB&M, as shown on map filed with the SWRCB.
Existing project	Water is stored in the 900 af Usibelli No. 2 Reservoir under the permits or licenses for Applications 18405 (storage of 210 af), 22739 (storage of 515 af), 26783 (storage of 175 af) and 29882 (storage of 345 af). Water is used for stockwatering, irrigation of pasture, alfalfa and vineyards, heat control, frost protection and recreation.
Petition for: Change(s)	On November 26, 1991, the licensee petitioned to increase the place of use from 357.7 acres to 450.0 acres. The additional place of use would be served from Usibelli Reservoir No. 2 pursuant to licensed and permitted Applications 18405, 22739, 26783 and 29882, and the Upper Reservoir pursuant to licensed Application 22738. The increased place of use will be developed in vineyard.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Related Applications	License 12363, 12364, 12329 and Permit 20774 (Applications 18405, 22739, 26783 and 29882) for Usibelli Reservoir No. 2 and License 10500 (Application 22738) for Upper Reservoir.
Contact person	<b>Katherine Mrowka at (916) 341 - 5363</b>

<b>APPLICATION 24598</b>	<b>PERMIT 17057</b>	<b>ISSUED ON January 27, 1978</b>
Permittee	<b>Alan Hardin Trust 4510 Hardin Road St. Helena, CA 94571</b>	
Source(s)	Unnamed Stream tributary to Hardin Creek thence Maxwell Creek thence Pope Creek	
Point(s) of Diversion	North 1,500 feet and East 750 feet from the SW corner of Section 31, T9N, R4W, MDB&M	
Purpose(s) of Use	Irrigation, Heat Protection, Recreational, Fire Protection, Frost Protection and Stockwatering	
Storage Amount and Season of Diversion	49 acre-feet from November 1 to May 15 of the succeeding year	
Place of Use	Stockwatering, Recreation and Fire Protection uses at Hardin Reservoir #3 located within the NW¼ of SW¼ of Section 31, T9N, R4W, MDB&M. Irrigation of 40 acres within the SW¼ and 60 acres within the NW¼ of Section 31, T9N, R4W, MDB&M.	
Existing project	<p>Permit 17057 was issued on January 27, 1978 to store up to 49 acre-feet of water behind an onstream earthfilled dam in Napa County.</p> <p>Permittee has requested two extensions of time since permit issuance which were necessary to complete the construction work for the project. Since the last extension, all construction work has been completed and vineyard was planted in the spring of 2000.</p> <p>Since vineyards take time to grow and mature, Permittee has requested an extension of time to obtain the combined water use for the newly planted vineyard and other purposes of use.</p>	

	Mr. Hardin estimates full beneficial use to be attained in 2002 and needs an extension of time before proceeding to license.
Extension of Time	Permittee requests an extension of time to develop full beneficial use of water authorized under this permit.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Contact person	<b>Brian Coats at (916) 341 - 5311</b>

<b>APPLICATION 26783</b>	<b>LICENSE 12329</b>	<b>LICENSE ISSUED ON May 18, 1988</b>
Licensee	<b>Usibelli Coal Mine, Inc. c/o James C. Hanson Hanson Engineering 444 N. Third Street, Suite 400 Sacramento, CA 95814-0228</b>	
Source	Unnamed stream tributary to Burton Creek thence Maxwell Creek thence Pope Creek thence Lake Berryessa	
Point of Diversion to Offstream Storage	Schoolhouse Reservoir in SW ¼ of NE ¼ of projected Section 27, T9N, R5W, MDB&M	
Point of Rediversion and Storage	Usibelli Dam No. 2 – SE ¼ of NW ¼ of projected Section 26, T9N, R5W, MDB&M	
Purposes of Use	Irrigation, Frost Protection, Fire Protection, Recreational, and Stockwatering	
Storage Amount and Season of Diversion	175 acre-feet (af) from November 1 of each year to May 1 of the succeeding year.	
Max Diversion Rate to Offstream Storage	13 cubic feet per second (cfs)	
Max Annual Amount	The maximum withdrawal in any one year under this license and licenses issued pursuant to Applications 18405 and 22739 shall not exceed 555 af.	
Place of Use	Recreation, stockwatering and fire protection uses at Usibelli Reservoir No. 2 within SW ¼ and S ½ of NW ¼ of projected Section 26, T9N, R5W, MDB&M and irrigation and frost protection of 357.7 acres within projected Sections 23, 25 and 26, T9N, R5W, MDB&M, as shown on map filed with the SWRCB.	
Existing project	Water is stored in the 900 af Usibelli No. 2 Reservoir under the permits or licenses for Applications 18405 (storage of 210 af), 22739 (storage of 515 af), 26783 (storage of 175 af) and 29882 (storage of 345 af). Water is used for stockwatering, irrigation of pasture, alfalfa and vineyards, heat control, frost protection and recreation.	
Petition for: Change(s)	On November 26, 1991, the licensee petitioned to increase the place of use from 357.7 acres to 450.0 acres. The additional place of use would be served from Usibelli Reservoir No. 2 pursuant to licensed and permitted Applications 18405, 22739, 26783 and 29882, and the Upper Reservoir pursuant to licensed Application 22738. The increased place of use will be developed in vineyard.	
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.	
Related Applications	License 12363, 12364, 12329 and Permit 20774 (Applications 18405, 22739, 26783 and 29882) for Usibelli Reservoir No. 2 and License 10500 (Application 22738) for Upper Reservoir.	
Contact person	<b>Katherine Mrowka at (916) 341 - 5363</b>	

<b>APPLICATION 27188</b>	<b>PERMIT 18829</b>	<b>ISSUED ON April 8, 1983</b>
Permittee	<b>Robert Lee Hudson and Betty Lou Hudson c/o Napa Valley Vineyard Engineering 176 Main Street, Suite B St. Helena, CA 94574</b>	
Source	Unnamed Stream tributary to Huichica Creek thence Hudeman Slough thence Second Napa Slough thence Sonoma Creek thence San Pablo Bay	
Point of Diversion	NE¼ of SW¼ of Section 24, T5N, R5W, MDB&M	
Purposes of Use	Irrigation, Fire Protection, Recreational, Fish & Wildlife Enhancement, and Stockwatering	
Storage Amount and Season of Diversion	48 acre-feet (af) from December 1 to May 15 of the succeeding year	
Place of Use	Stockwatering, recreation, fish & wildlife enhancement and fire protection at the reservoir located within the W ½ of Section 24, T5N, R5W, MDB&M. Irrigation of 130 acres located within Sections 24 and 25, T5N, R5W, MDB&M as shown on maps on file with the SWRCB.	
Existing project	<p>Permit 18829 was issued on April 8, 1983 and authorizes the diversion to storage of up to 48 af per year in an onstream reservoir located on an unnamed stream tributary to Huichica Creek. The authorized purposes of use under Permit 18829 are stockwatering, recreation, fish &amp; wildlife enhancement, fire protection, and irrigation of 130 acres of vineyards. By Order of August 8, 1990, Permit 18829 was amended to add the following requirements:</p> <p>Condition 17: For the protection of fish and wildlife within Huichica Creek, no diversions from the unnamed stream are allowed unless the flow in Huichica Creek exceeds 10 cfs from the period December 1 through February 29 or 2 cfs from March 1 through April 30.</p> <p>Condition 18: No water shall be diverted under this permit until a device capable of measuring flows required by Condition 17 is installed and maintained by the Permittee.</p> <p>Shortly after issuance of Permit 18829, the project reservoir was constructed. Subsequent inspections of the project by California state Division of Safety of Dams and Division staff indicated that the capacity of this reservoir was 80 af. The Permittee has filed Application 30012 to account for the additional 32 af capacity in the project reservoir. Additionally, the Division inspection noted that the Permittee had not installed the measuring device required by Condition 18. By letter of June 12, 2000, the Permittee indicated that an existing measuring device meeting the requirements of Condition 18 has been located and that further use of water will be in compliance with the terms and conditions of Permit 18829.</p>	
Extension of Time	Permittee requests an extension of time to develop record of beneficial use of water authorized under this permit.	
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.	

Related Applications	Pending Application 30012 was filed to cover for the additional 32 af capacity of the project reservoir.
Contact person	<b>Greg Wilson at (916) 341-5427</b>

<b>APPLICATION 29882</b>	<b>PERMIT 20774</b>	<b>PERMIT ISSUED ON February 15, 1995</b>
Licensee	<b>Usibelli Coal Mine, Inc. c/o James C. Hanson Hanson Engineering 444 N. Third Street, Suite 400 Sacramento, CA 95814-0228</b>	
Source	(4) Maxwell Creek tributary to Pope Creek thence Putah Creek thence Yolo Bypass (3) Unnamed stream tributary to Burton Creek thence Maxwell Creek thence Pope Creek	
Point of Diversion to Offstream Storage	(1) NE ¼ of NW ¼ of projected Section 35, T9N, R5W, MDB&M (1) SW ¼ of NE ¼ of projected Section 27, T9N, R5W, MDB&M (2) SE ¼ of NW ¼ of projected Section 31, T9N, R5W, MDB&M	
Point of Diversion to Storage and Rediversion	Usibelli No. 2 Reservoir (2) NE ¼ of SE ¼ of projected Section 26, T9N, R5W, MDB&M	
Purposes of Use	Irrigation, Frost Protection, Heat Protection and Stockwatering	
Storage Amount and Season of Diversion	345 acre-feet (af) from November 1 of each year to May 1 of the succeeding year.	
Max Diversion Rate to Offstream Storage	7.5 cubic feet per second (cfs)	
Max Annual Amount	The maximum withdrawal in any one year under this license and licenses issued pursuant to Applications 18405 and 22739 shall not exceed 555 af.	
Place of Use	Stockwatering at Usibelli Reservoir No. 2 within SW ¼ and S ½ of NW ¼ of projected Section 26, T9N, R5W, MDB&M and irrigation, frost protection and heat control of 357.7 acres within projected Sections 23, 25 and 26, T9N, R5W, MDB&M, as shown on map filed with the SWRCB.	
Existing project	Water is stored in the 900 af Usibelli No. 2 Reservoir under the permits or licenses for Applications 18405 (storage of 210 af), 22739 (storage of 515 af), 26783 (storage of 175 af) and 29882 (storage of 345 af). Water is used for stockwatering, irrigation of pasture, alfalfa and vineyards, heat control, frost protection and recreation.	
Petition for: Change(s)	On November 26, 1991, the licensee petitioned to increase the place of use from 357.7 acres to 450.0 acres. The additional place of use would be served from Usibelli Reservoir No. 2 pursuant to licensed and permitted Applications 18405, 22739, 26783 and 29882, and the Upper Reservoir pursuant to licensed Application 22738. The increased place of use will be developed in vineyard.	
Petition for Extension of Time	The time to complete full beneficial use ended on December 31, 1998. The permit does not provide any time to construct the storage reservoir, because the Usibelli No. 2 Reservoir was constructed prior to permit issuance. On March 9, 1998, the Division of Water Rights issued a continuation permit for Permit 20774 pursuant to the terms of the Putah Creek Settlement Agreement because no beneficial use of water has been made. On May 11, 1999, the permittee filed a	

	<p>petition for extension of time, requesting an extension to December 31, 2005 to complete construction and December 31, 2006 to complete full beneficial use of water. The petition was noticed on March 16, 2001. The petition has not yet been acted on.</p> <p>By letter dated July 9, 2001, the Chief, Division of Water Rights informed all persons seeking a time extension for filings in the upper Putah Creek watershed (including Usibelli Coal Mine) that we are limiting any time extensions to five years. Accordingly, the maximum time extension would extend the time to complete full, beneficial use to December 31, 2003.</p>
Correction	This notice provides the correct description for point of diversion (2) above. The Usibelli No. 2 Reservoir is both a point of diversion and a point of rediversion, as described in Application 29882. The permit incorrectly identifies the reservoir as only a point of diversion. There is no change in the physical location of Usibelli No. 2 Reservoir, or the California Coordinate system ties.
Environmental Document	An environmental document has not yet been prepared for the actions described in this notice.
Related Applications	License 12363, 12364, 12329 and Permit 20774 (Applications 18405, 22739, 26783 and 29882) for Usibelli Reservoir No. 2 and License 10500 (Application 22738) for Upper Reservoir.
Contact person	<b>Katherine Mrowka at (916) 341 - 5363</b>

#### NOTICES WITHIN THE COUNTY OF SANTA BARBARA

<b>APPLICATION 9443</b>	<b>LICENSE 2693</b>	<b>ISSUED on August 28, 1944</b>
Permittee	<b>Boys Scouts of America, Los Padres Council 4000 Modoc Road Santa Barbara, CA 93110</b>	
Source	Tequepis Creek Source tributary to Santa Ynez River	
Point of Diversion	NW $\frac{1}{4}$ of NW $\frac{1}{4}$ , T5N, R29W, SBB&M	
Purposes of Use	Irrigation and Domestic	
Direct Diversion Rate and Season of Diversion	0.133 cubic feet per second (cfs) from May 1 to October 31 of the succeeding year	
Max Annual Amount	N/A	
Place of Use	Irrigation of 12 acres located within Lots 1 and 2 and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 32 T6N R29W SBB&M as shown on maps on file with the SWRCB.	
Existing project	<p>License 2693 authorizes the direct diversion of up to 0.133 cfs from the Tequepis Creek located within NW<math>\frac{1}{4}</math> of NW<math>\frac{1}{4}</math> of Section 7, T5N, R29W, SBB&amp;M for irrigation uses from May 1 to October 21 and year-round for domestic use.</p> <p>In 1965, operations on the property shifted from ranching to an educational and recreational facility. Division staff conducted a compliance inspection of the project in August 1999, and made the following findings:</p> <p>The Licensee is diverting water for domestic purposes outside the authorized place of use.</p>	

	The compliance inspection report required the Licensee to file a petition to add recreation as a purpose of use and the change of place of use under License 2693.
Petition for Change	<p>Permittee petitioned to change the place of use in Permit 2360 as follows:</p> <p>Domestic use within NE¼ of Section 32 and W½ of Section 33</p> <p>Irrigation of 5.5 acres located as follows:  1 acre in NE¼ of NE¼ of Section 32;  3.5 acres in NW¼ of NE¼ of Section 32;  1 acre in SW¼ of NE¼ of Section 32;  all within T6N, R29W, SBB&amp;M</p> <p>Recreation at Lake Janis located within the SW¼ of NW¼ of section 33, as shown on the map dated May 2001, on file with the SWRCB.</p>
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Contact person	<b>Ibyang Rivera at (916) 341 – 5440</b>

#### NOTICES WITHIN THE COUNTY OF SONOMA

<b>APPLICATION 29566</b>	<b>PERMIT 20505</b>	<b>ISSUED ON February 25, 1991</b>
Permittee	<b>Louis M. Martini, Inc.</b> <b>c/o Napa Valley Vineyard Engineering</b> <b>176 Main Street, Suite B</b> <b>St. Helena, CA 94574-2166</b>	
Source	(1 & 2) Unnamed Stream tributary to Sonoma Creek thence San Pablo Bay	
Points of Diversion (POD)	(1) NW¼ of NE¼ of Section 25, T6N, R6W, MDB&M (2) NE¼ of SE¼ of Section 25, T6N, R6W, MDB&M	
Purpose of Use	Irrigation	
Storage Amount and Season of Diversion	49 acre-feet (af) from October 16 to April 30 of the succeeding year	
Max Diversion Rate to Offstream Storage	2.5 cubic feet per second (cfs)	
Place of Use	Irrigation of 250 acres located within Section 25, T6N, R6W, MDB&M and Section 30, T6N, R5W, MDB&M as shown on maps on file with the SWRCB.	
Existing project	Permit 20505 authorizes the diversion to storage of up to 49 af from two branches of an unnamed stream tributary to Sonoma Creek. The proposed 49-acre-foot-capacity onstream reservoir is located at POD #1 on one branch of the aforementioned unnamed stream. Additionally, water may be diverted from POD #2 on the other branch of the unnamed stream and piped to the proposed reservoir at a rate not to exceed 2.5 cfs. The authorized purpose of use under Permit 20505 is irrigation of 250 acres of vineyards. The Permittee has stated that due to delays in development of the authorized place	

	of use, the proposed reservoir has yet to be constructed and thus water has yet to be put to beneficial use under Permit 20505.
Extension of Time	Permittee requests an extension of time to complete construction of the project reservoir and develop full beneficial use of water authorized under this permit.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Contact person	<b>Greg Wilson at (916) 341-5427</b>

## NOTICES WITHIN THE COUNTY OF TEHAMA

<b>APPLICATION 29528</b>	<b>PERMIT 20439</b>	<b>ISSUED ON March 29, 1990</b>
Permittee	<b>Heinz &amp; Thea Eichenseer P.O. Box 2364 Flournoy, CA 96029</b>	
Source(s)	Unnamed Stream tributary to Thomes Creek thence Sacramento River	
Point(s) of Diversion	California Coordinate System of 1927, Zone 1, North 218,507 feet and East 1,884,754 feet, being within SW¼ of SE¼ of Section 15, T24N, R5W, MDB&M	
Purpose(s) of Use	Fire Protection, Wildlife Enhancement, Stockwatering and Irrigation	
Storage Amount and Season of Diversion	20 acre-feet from October 1 to April 1 of the succeeding year	
Place of Use	At the reservoir located within SW¼ of SE¼ of Section 15, T24N, R5W, MDB&M as shown on map on file with the SWRCB.	
Existing project	Permittee currently diverts water from an unnamed stream to storage for the purposes of irrigation, wildlife enhancement, stockwatering and irrigation uses in Tehama County. A pre-license inspection determined the actual reservoir storage size to be 15 ac-ft versus the permitted 20 ac-ft and found no irrigation uses to date. The Division of Water Rights advised that if permittee wished to retain the irrigation purpose of use and the capability to expand the reservoir to a capacity of 20 ac-ft, they would need to file a petition for extension of time petition to fully develop their water right.	
Extension of Time	Permittee requests an extension of time to develop full beneficial use of water authorized under this permit.	
Correction	The pre-license inspection also determined that the location of the point of diversion was previously described incorrectly. The description of the point of diversion shall be corrected as follows:  California Coordinate System of 1927, Zone 1, North 218,507 feet and East 1,884,754 feet, being within SW¼ of SE¼ of Section 15, T24N, R5W, MDB&M	
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.	
Contact person	<b>Brian Coats at (916) 341 - 5311</b>	

**NOTICES WITHIN THE COUNTIES OF TRINITY AND HUMBOLDT**

<b>APPLICATIONS 16454 AND 17291</b>	
Permittee	<b>Humboldt Bay Municipal Water District P.O. Box 95 Eureka, CA 95502</b>
Source	Mad River tributary to Pacific Ocean
Point of Diversion	NW¼ of NW¼ of Section 19 T1S R7E HB&M
Points of ReDiversion	1) SE¼ of NW¼ of Section 15 T6N R1E HB&M 2) SW¼ of NW¼ of Section 15 T6N R1E HB&M 3) SW¼ of NW¼ of Section 14 T6N R1E HB&M 4) SW¼ of NW¼ of Section 14 T6N R1E HB&M 5) NE¼ of SW¼ of Section 14 T6N R1E HB&M 6) SE¼ of NW¼ of Section 15 T6N R1E HB&M
Purpose of Use	Municipal
Total Annual Amount	Under Permits 11714 and 11715 is 253,000 acre-feet per year
Place of Use	Within the boundaries of the District located within T3, 4, 5, 6, and 7N, and R1W, and R1, 2, and 3E, HB&M, and areas adjacent to Ruth Lake Reservoir, as shown on maps on file with the SWRCB.
<b>APPLICATION 16454</b>	<b>PERMIT 11714</b> <b>ISSUED ON MARCH 16, 1959</b>
Storage Amount and Season of Diversion	100,000 acre-feet from October 1 of each year to April 30 of the succeeding year
<b>APPLICATION 17291</b>	<b>PERMIT 11715</b> <b>ISSUED ON MARCH 16, 1959</b>
Direct Diversion Rate and Season of Diversion	200 cubic feet per second from January 1 to December 31
Storage Amount and Season of Diversion	20,000 acre-feet from October 1 of each year to April 30 of the succeeding year
<b>APPLICATIONS 16454 AND 17291</b>	
Total Annual Amount	253,000 acre-feet per year under Permits 11714 and 11715
Existing project	Humboldt Bay Municipal Water District (District), under Applications 16454 and 17291, supplies treated domestic water to seven municipal agencies who in turn serve water to the entire Humboldt Bay area of Humboldt County. The municipalities served by the District are the Cities of Arcata, Blue Lake and Eureka, and the Fieldbrook, Humboldt, Manila and McKenleyville Community Services Districts. Via their wholesale relationship, the District serves water to a population of approximately 75,000, and to numerous businesses, industries and educational institutions including Samoa Pacific Cellulose Pulp Mill, Humboldt State University, and College of the Redwoods.
Extension of Time	Permittee requests an extension of time to develop full beneficial use of water authorized under this permit.
Environmental Document	An environmental document has not yet been prepared for the action described in this notice.
Contact person	<b>Alana L. Gibbs at (916) 341 - 5324</b>

